

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2010 MAY 28 P 3:33

DUBLIN DIVISION

CLERK *Paula Carthy*  
U.S. DISTRICT COURT

ADRAIN SHELTON,

Plaintiff,

v.

FRED BURNETTE,

Defendant.

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) CV 309-048  
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**ORDER**

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Defendant's motion to dismiss (doc. no. 17) is **GRANTED**, Plaintiff's complaint is **DISMISSED** without prejudice, and this case is **CLOSED**.

SO ORDERED this 28<sup>th</sup> day of May, 2010, at Augusta, Georgia.

*[Signature]*  
UNITED STATES DISTRICT JUDGE